

HOUSE BILL No. 1122

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-18-5; P.L.229-2001, SECTION 5.

Synopsis: Housing authority membership. Requires one member of a city housing authority to be a person directly assisted by the housing authority instead of a resident of the housing authority. Provides that in a city, town, or county, the commissioners of certain housing authorities do not have to include a person directly assisted by the housing authority.

Effective: July 1, 2002.

Stilwell

January 8, 2002, read first time and referred to Committee on Local Government.

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Introduced

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1122

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-7-18-5, AS AMENDED BY P.L.229-2001,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2002]: Sec. 5. (a) After the fiscal body of a unit adopts a
4 resolution under section 4 of this chapter, persons shall be appointed
5 as commissioners of the housing authority in the following manner:

6 (1) In a city, the fiscal body shall promptly notify the city
7 executive of the adoption of the resolution. The executive shall
8 then appoint seven (7) persons, one (1) of whom must be a
9 **resident of a housing project under the jurisdiction of person**
10 **directly assisted by** the housing authority **unless the housing**
11 **authority is described in subsection (d),** no more than four (4)
12 of whom may be of the same political party, as commissioners of
13 the housing authority.

14 (2) In a town or county, the fiscal body shall appoint seven (7)
15 persons, one (1) of whom must be a person directly assisted by the
16 housing authority **unless the housing authority is described in**
17 **subsection (d),** no more than four (4) of whom may be of the



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same political party, as commissioners of the housing authority.

(b) Subsequent appointments to the authority shall be made in the same manner.

(c) A commissioner of a housing authority must be a resident of the area in which the housing authority has jurisdiction as provided in section 41 of this chapter.

(d) This subsection applies to:

(1) a housing authority that:

(A) has less than three hundred (300) units;

(B) provides at least thirty (30) days notice to the residents of housing projects under the jurisdiction of the housing authority of the opportunity to serve as a housing authority commissioner;

(C) has not been notified by a resident of the resident's interest in being appointed a housing authority commissioner; and

(D) repeats notification of the opportunity to serve to the residents of housing projects under the jurisdiction of the housing authority at least once each year; or

(2) a housing authority that administers only federal Section 8 housing assistance.

The requirement under subsection (a)(1) or (a)(2) that one (1) commissioner of a housing authority must be a person directly assisted by the housing authority does not apply to a housing authority described in this subsection.

SECTION 2. P.L.229-2001, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: SECTION 5. (a) **Except as provided in subsection (b) and notwithstanding IC 36-7-18-5, and ~~IC 36-7-18-7~~, both as amended by this act, if required by IC 36-7-18-5, as amended by this act,** the appointing authority of a unit that created a housing authority with five (5) commissioners before July 1, 2001, shall appoint the following not later than August 1, ~~2001~~:
2002:

(1) One (1) commissioner, who is a resident of a housing project under the jurisdiction of must be a person directly assisted by the housing authority, who unless the housing authority already has a person directly assisted by the housing authority serving as a member of the authority. The commissioner appointed under this subdivision who serves an initial term of one (1) year, and who may be reappointed.

(2) One (1) commissioner who serves an initial term of two (2) years, and may be reappointed.



1 **(b) A member appointed to a housing authority under**
2 **P.L.229-2001, SECTION 5(a) may continue to serve the remainder**
3 **of the person's term at the discretion of the appointing authority.**
4 **(b) (c) This SECTION expires July 1, 2005.**

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